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November 12, 2013

Geoffrey C. Blackwell, Chief
Federal Communications Commission
Office of Native Affairs & Policy, Consumer & Government Affairs Bureau
Washington, D.C. 20554

Dear Mr. Blackwell,

Thank you for your correspondences dated June 25, with an enclosed Fact Sheet for Tribal Nations and Sample Letter to Tribal Historic Preservation Officers and October 25, 2013, with an enclosed Public Notice and Program Comment for Planned Construction of Positive Train Control Facilities Within the Railroad Bed, WT Docket No. 13-240.

Pursuant to Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to prehistoric cultural groups in Arizona, Colorado, New Mexico, and Utah. The Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties. Therefore, we appreciate the Federal Communications Commission (FCC)'s continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office understands the "Positive Train Control" Program will require installation of more than 20,000 wayside poles and other facilities alongside railroad tracks across the nation. We understand in some cases the depth of the foundation hole may exceed the depth of the previous disturbance and appreciate the FCC's efforts to facilitate an effective National Historic Preservation Act process for the program through the development of a Program Comment.

We regularly request consultation on any proposal that will adversely affect prehistoric cultural resources in Arizona, western New Mexico, Utah and southwestern Colorado. However, regarding the FCC's Tower Construction Notification System for communications tower construction, we have reduced this area of interest to four counties in Arizona, Yavapai, Coconino, Apache, and Navajo.

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Regarding the proposed Program Comment we will initially request consultation on any proposed installation that has the potential to adversely affect prehistoric sites in Arizona, the southern half of Utah, the western half of New Mexico, and the southwest quadrant of Colorado.

We are aware of limited number of non-compliant towers so we appreciate the FCC's cultural preservation review of non-compliant towers cited in your June 25, 2013 correspondence, and we hereby request consultation on any non-compliant towers that have adversely affected prehistoric cultural resources in our areas of interest designated above for the Positive Train Control Program Comment.

We also appreciate the consultation assistance provided on several previous occasions by Senior Attorney Anne Marie Wypijewski, Spectrum and Competition Policy Division, and the FCC has provided to the Hopi Tribe.

Please contact Terry Morgart at 928-734-3619 or tmorgart@hopi.nsn.us if you have any questions or need additional information. Thank you for your consideration.

Respectfully,



Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: Irene Flannery, Steve DelSordo, Jeffrey Steinberg, FCC
Arizona State Historic Preservation Office